

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

Transcript Designation and Ordering Form

U.S. Court of Appeals Case No. 06-16199 U.S. District Court Case No. 03-CV-00385 SOM-LEKShort Case Title Wayne Berry v. Hawaiian Express Service, Inc., et al.Date Notice of Appeal Filed by Clerk of District Court June 21, 2006 FILED IN THE

SECTION A - To be completed by party ordering transcript

UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

HEARING DATE(s)

COURT REPORTER

PROCEEDINGS (strike portion not desired)

See Attached Ex. "A"

Voor Dire. at 4 o'clock and 15 min. PM

Opening Statements

Settlement Instructions

Closing Arguments

Jury Instructions

Pre-Trial Proceedings

Other (please specify)

(additional page for designations if necessary)

- () I do not intend to designate any portion of the transcript and will notify all counsel of this intention.
- () As retained counsel (or litigant proceeding in pro per). I request a copy of the transcript and guarantee payment to the reporter of the cost thereof upon demand. I further agree to pay for work done prior to cancellation of this order.
- () As appointed counsel I certify that an appropriate order authorizing preparation of the transcript at the expense of the United States has been, or within 5 days hereof will be, obtained and delivered to the reporter. I agree to recommend payment for work done prior to cancellation of this order.

Date transcript ordered 8/21/2006 Estimated date for completion of transcript _____Print Name of Attorney Timothy J. Hogan Phone Number 528-9721Signature of Attorney [Signature]Address Lynch Ichida et al. 1132 Bishop Street, Suite 1405, Honolulu, Hawaii 96813

SECTION B - To be completed by court reporter

I, [Signature] (signature of court reporter) have received this designation.

- (X) Arrangements for payment were made on 8/22/2006
- () Arrangements for payment have not been made pursuant to FRAP 10(b).

60 Approximate Number of Pages in Transcript--Due Date 9/22/2006

SECTION C - To be completed by court reporter

When the transcript is filed, complete this section and submit to the U.S. district court with the completed transcript. The district court will not file the transcript without this completed form.

Date transcript filed 8/31/2006 Court Reporter's Signature [Signature]

SECTION D - To be completed by the Clerk

U.S. DISTRICT COURT CLERK: I certify that the record is available in the office of the U.S. District Court.S

Sue Beitia 9/26/06 BY: [Signature]
(U.S. District Court Clerk) (date) DEPUTY CLERK

In response to the PCT Designation of Transcript received August 21, 2006, Plaintiff Appellant Wayne Berry hereby Orders and designates the following additional transcript.

Hearing Date	Court Reporter	Matter	Docket No. or Date Filed
01/18/2005	Debra Chun	Hearing on MSJ	Hearing Minutes at Docket No. 401

Exhibit "A"